

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

WILLIE DWAYNE CLARK,  
  
Plaintiff,  
  
v.  
  
ANDREW CIOLLI, et al.,  
  
Defendants.

Case No. 1:21-cv-01081-SKO (PC)

**ORDER GRANTING PLAINTIFF'S  
MOTION TO STOP COLLECTIONS OF  
FILING FEE DEDUCTIONS FROM  
INMATE TRUST ACCOUNT**

(Doc. 13)

Plaintiff Willie Dwayne Clark is proceeding *pro se* and *in forma pauperis* in this civil action brought pursuant to 28 U.S.C. § 1331 and *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971).

**I. RELEVANT BACKGROUND**

On March 4, 2022, this Court issued its “Order Clarifying Status of Filing Fee Payments Collected and Credited.” (Doc. 12.) The Court found a total of \$287.94 had been collected and credited toward Plaintiff’s payment of the filing fee in this action, and \$62.06 remained to be paid. (*Id.* at 2.)<sup>1</sup>

On July 6, 2022, Plaintiff filed correspondence dated and signed June 28, 2022, which was docketed as a motion to stop deductions from trust account due to filing fee paid in full.

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<sup>1</sup> The payments credited as of 3/4/22 were as follows: (1) \$40.00 on 9/21/21; ((2) \$144.07 on 10/1/21; (3) \$85.68 on 1/11/22; and (4) \$18.19 on 2/10/22.

1 (Doc. 13.) Plaintiff contends he has paid the entire \$350 filing fee, yet the prison continues to  
2 deduct funds from his inmate account toward payment of that filing fee. (*Id.*)

3 **II. DISCUSSION**

4 A review of Plaintiff's action and information collected from this Court's finance  
5 department officials reveals Plaintiff has in fact met his obligation regarding payment of the filing  
6 fee in this matter. Payment history documentation indicates Plaintiff has overpaid in the sum of  
7 \$116.40 and actions have been undertaken by the finance department to issue Plaintiff a refund.

8 Plaintiff's motion indicates that he has been advised by prison officials that payments will  
9 continue to be deducted from his inmate trust account until the prison receives an order from this  
10 Court "stating the fees are paid in full." (Doc. 13.)

11 Because the Court's records confirm that Plaintiff has paid the \$350 filing fee in full,  
12 prison officials should cease deducting payments from Plaintiff's inmate trust account for an  
13 obligation that no longer exists.

14 **III. CONCLUSION AND ORDER**

15 For the reasons stated above, this Court FINDS Plaintiff has paid the \$350 filing fee in  
16 full. As a result, the United States Penitentiary in Atwater, California SHALL cease deducting  
17 funds from Plaintiff's inmate trust account to pay the filing fee in this action, as Plaintiff is no  
18 longer financially obligated to this Court.

19 IT IS SO ORDERED.  
20

21 Dated: July 11, 2022

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE